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DISCLOSURE ADVISORY**

For the person named above, whom the People may call as a witness, please be advised as follows.

1. The New York City Civilian Complaint Review Board (CCRB) has deemed substantiated an allegation that on June 20, 2013, Juan Rodriguez committed the violations of Abuse – Stop, Abuse – Frisk, Abuse – Search (of person) and noted Other Misconduct, to wit, Intentionally made a false official statement. This allegation arose out of a stop of a city Department of Consumer Affairs (DCA) inspector at 37 West 82<sup>nd</sup> Street at 10:15 a.m. At 10:15 AM the city DCA inspector and his partner while working, parked in a parking space on West 82 Street when Juan Rodriguez approached and told them it was a police parking space. When they showed him their DCA parking plaque, they were informed that it could not be used to park there. After some words were exchanged, the DCA inspectors moved the car to another parking space and Juan Rodriguez parked in the space they had vacated. After the inspectors completed the inspection of the business they were there to inspect, they returned to their car to complete their paperwork. Juan Rodriguez came back out and with a uniformed officer approached their car again. Words were again exchanged, The exact sequence of events were in dispute. The CCRB concluded, however, that Juan Rodriguez acknowledged that he stopped the inspector. Juan Rodriguez stated that the factors that he considered were that the inspector stared at him after their initial encounter, he believed that he was intoxicated (though he was not the driver), he was irate, anti-cop acting abnormally and that his proximity to Juan Rodriguez's car posed a potential threat. The CCRB did not believe that those factors were sufficient legal justification for a stop. The investigation concluded that Juan Rodriguez did not have reasonable suspicion to believe the inspector was involved in a crime and the stop was therefore improper. While all of the witnesses, including the other police officer stated that Juan Rodriguez pulled the inspector from the car, and Juan Rodriguez recorded in his memo book that he pulled him out, Juan Rodriguez stated at the CCRB that the inspector compliantly exited and no force was used, The CCRB concluded that Juan Rodriguez did use force and it was more than was necessary. The CCRB further found that Juan Rodriguez used force against the inspector when he pulled the inspector out of his vehicle and that the force used was more than necessary. The CCRB further found that, despite the inspector's irate behavior, Officer Rodriguez did not have justification to frisk or search the inspector. The CCRB further found that Officer Rodriguez made a false official statement to the CCRB, when he said that the inspector compliantly stepped out of his vehicle, when in fact, Officer Rodriguez had pulled the inspector out of the vehicle.
2. The New York City Police Department (NYPD) issued Charges & Specifications on the Above described substantiated allegations in the CCRB that Juan Rodriguez, on or about June 20, 2013, A) Abused his authority as a member of the NYPD in that he stopped a person without sufficient legal authority, B) Abused his authority as a member of the NYPD when he frisked a person without sufficient legal authority, C) Abused his authority as a

member of the NYPD when he searched a person without sufficient legal authority, and D) Did wrongfully use force against that person when he grabbed him and pulled him out of his vehicle. Juan Rodriguez was found guilty of all charges at a department trial.

3. The New York City Police Department (NYPD) has deemed substantiated Charges & Specifications that A) on or about March 18, and March 19, 2010, Juan Rodriguez committed the violations of Failure to Properly Safeguard Firearm, by placing said item in the trunk of his vehicle, and B) between July 16, 2009 and March 19, 2010, he failed to voucher prisoner property, a New York State Identification Card of a person that Juan Rodriguez had previously arrested. On March 18, 2010 at about 1:50 AM, Juan Rodriguez had a motor vehicle accident with his personal motor vehicle. Juan Rodriguez was removed to the hospital and his automobile was removed from the scene. It was later discovered that Juan Rodriguez had left his firearm in the trunk of the car. Investigators also discovered the New York State Identification Card of a person he had previously arrested.

Various publicly available websites and databases contain disciplinary information for certain law enforcement officers. Information in such databases about this officer is not necessarily included in this advisory.

Any information herein regarding civil lawsuits against an officer is not necessarily a complete list of civil lawsuits in which that officer is a defendant.

Allegations of misconduct that have not been substantiated and are not pending (including, but not limited to, findings of unsubstantiated, unfounded, and exonerated), and allegations of technical infractions, are not subject to disclosure and are not included in this advisory.

The decision to include information in this advisory does not represent a conclusion by the People that it is required to be disclosed.

The People reserve the right to oppose or move to limit the use of any information included herein or disclosed in the future.

If you have any questions, please contact the Assistant District Attorney assigned to the case on which you are receiving this advisory.

Date: November 16, 2020